

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII**

In the Matter of the)	PUC DOCKET NO. 2008-0273
)	
PUBLIC UTILITIES COMMISSION)	
)	
Instituting a Proceeding to)	
Investigate the Implementation Of)	
Feed-in Tariffs)	
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PUBLIC UTILITIES
COMMISSION

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FILED

**SOPOGY, INC. TIER 3 TARIFF INFORMATION REQUESTS TO HAWAIIAN ELECTRIC
COMPANY, INC., MAUI ELECTRIC COMPANY, LIMITED AND HAWAII ELECTRIC
LIGHT COMPANY, INC.**

AND

CERTIFICATE OF SERVICE

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COMPANY, INC., MAUI ELECTRIC COMPANY, LIMITED AND HAWAII ELECTRIC
LIGHT COMPANY, INC.**

SOPOGY, INC., a Delaware corporation (the “**Company**”), respectfully submits this memorandum to the State of Hawaii Public Utilities Commission (the “**Commission**”) its Information Requests to Hawaiian Electric Company, Inc., Maui Electric Company, Limited and Hawaii Electric Light Company, Inc., (collectively the “**HECO Companies**”).

Respectfully submitted.

DATED: Honolulu, Hawaii, April 8, 2010



for PAMELA ANN JOE, ESQ.
VP of Public Policy and General Counsel
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**SOPOGY, INC. TIER 3 TARIFF INFORMATION REQUESTS TO HAWAIIAN ELECTRIC
COMPANY, INC., MAUI ELECTRIC COMPANY, LIMITED AND HAWAII ELECTRIC
LIGHT COMPANY, INC.**

On February 9, 2010, Hawaiian Electric Company, Inc. (“HECO”) and its consultant, E3, circulated a Levelized Cost of Energy Model developed by Black and Veatch (the “**Tier 3 LCOE Model**”), which HECO and E3 utilized to develop HECO’s Proposed Tier 3 FiT Rates. HECO also circulated a presentation (the “**Workshop Presentation**”) for discussion during the Tier 3 workshop, held March 10, 2010. Subsequently, HECO circulated its proposed Schedule FiT Tier 3 (“**HECO’s Proposed Schedule FiT**”) and proposed Tier 3 Feed-In Tariff Power Purchase Agreement (“**HECO’s Proposed PPA**”). Sopogy, Inc. respectfully submits the following information requests to HECO, Maui Electric Company, Limited and Hawaii Electric Light Company, Inc. (collectively, the “**HECO Companies**”).

HECO Companies IR -1

Reference: Tier 3 LCOE, Capacity Factor Input

In the Levelized Cost of Energy Model developed by Black and Veatch utilized to develop the HECO Companies’ Proposed Tier 3 rates (the “**Tier 3 LCOE Model**”), circulated to the parties on February 9, 2010, the HECO Companies input a capacity factor for concentrating solar power (“CSP”) technologies on the Island of Oahu of 24%. Further, in the presentation (the “**Workshop Presentation**”) distributed for discussion during the Tier 3 workshop, held March 10, 2010, the HECO Companies set forth a capacity factor range from 18-21% for CSP trough technology, 20-22% for Stirling Dish technologies and 22-24% for concentrating photovoltaic (CPV) technologies. Please provide specific technology data to support these ranges from commercial installations on the Island of Oahu, or in the alternative, specific data from the non-Hawaii installations relied upon and a step-by-step analysis and calculation of how data from commercial installations was adjusted for the specific Direct Normal Irradiance (DNI) levels and other relevant factors, if any, on the Island of Oahu.

HECO Companies IR-2

Reference: The Workshop Presentation

To the extent not provided in response to HECO Companies IR-1 above, please provide specific annual capacity performance data and efficiencies, if any, from and the location of the commercial projects utilizing Stirling Dish and CPV technologies that were used in the Tier 3 LCOE Model or the Workshop Presentation.

HECO Companies IR-3

Reference: Tier 3 LCOE Model, Oahu Land Cost Input

Please explain the Oahu land costs and increases reflected in the Tier 3 LCOE Model and provide specific support, including actual quotes for Oahu agricultural, commercial and/or industrial parcels, leases or similar information, supporting those costs and increases. Also, please provide specific support for the \$5,000-15,000 estimated land cost set forth in the Workshop Presentation.

HECO Companies IR-4

Reference: The Workshop Presentation

Please provide specific support for the land requirements of 3 acre per 500kW for CSP trough projects and 1 acre per 500kW for commercial Stirling Dish projects. What are the estimated land requirements for commercial CPV and Stirling Dish facilities?

HECO Companies IR-5

Reference: Tier 3 LCOE Model

Did the HECO Companies include the cost of environment assessments and/or environmental impact studies, as are or may be required in connection with State and other lands which will likely be appropriate for FiT projects, in the LCOE Model? If so, what were the costs included in the Tier 3 LCOE Model for these items?

HECO Companies IR-6

Reference: Tier 3 LCOE Model

Which of the following interconnection-related expenses were included in the Tier 3 LCOE Model: Interconnection Study, Interconnection Equipment, Cost of Installation, Operation and Maintenance up to transfer of the Interconnection Facilities, Costs of any Re-Locating any Interconnection Facilities, Removal of Interconnection Facilities after termination of the PPA, and Restoration of Land upon which Interconnection Facilities were installed. What was the total cost of the interconnection-related expenses included and where in the LCOE Model were these costs included? Are there any other interconnection-related costs that were not included in the LCOE Model?

HECO Companies IR-7

Reference: HECO's Proposed Schedule FiT and HECO's Proposed PPA

HECO Companies' proposed Schedule FiT Tier 3 ("HECO's Proposed Schedule FiT") and proposed Tier 3 Feed-In Tariff Power Purchase Agreement ("HECO's Proposed PPA") set forth a number of additional fees and charges, including: a Reservation Fee, an Operating Period Security, and a recurring service charge. Where in the LCOE Model are these fees included?

HECO Companies IR-8

How do the HECO's Companies plan to improve their grids in order to reduce and eventually eliminate the need to curtail independent power producers over time? What is the expected time schedule for these improvements?

HECO Companies IR-9

Reference: Section 14.12 and 14.13 of HECO's Proposed PPA

List other FiT Programs in which renewable energy producers are required to execute and deliver a Security Agreement, similar to the one set forth in HECO's Proposed PPA, in favor of the utility power purchaser? Do these programs also permit the utility power purchaser to fixture filings, financing statements, and other Security Documents as the utility power purchaser deems

necessary or appropriate to perfect its security interest in the facility at issue and/or project documents?

HECO Companies IR-10

Reference: HECO's Proposed PPA, Sections 19.2 thru 19.4

List other FiT Programs that:

- (1) prohibit a renewable energy producer from pledging, mortgaging, or granting a security interest in the facility at issue without the prior consent of the utility power purchaser,
- (2) require a renewable energy producer to provide the utility power purchaser with the terms of any financing documents, and to obtain the utility power purchaser's review of and consent to the documents, and/or
- (3) require a renewable energy producer to use "Commercially Reasonable Efforts to obtain Financing Documents in a form reasonably satisfactory to" the utility power purchaser, and further obligate a facility lender to make a binding commitment to the utility power purchaser that the facility lender would take no action to affect or impair the utility power purchaser's rights under the applicable PPA or FiT Agreement.

CERTIFICATE OF SERVICE

I hereby certify that I have on this date served a copy of Sopogy, Inc. Tier 3 Tariff Information Requests upon the following parties, by causing a copy hereof to be hand delivered, e-mailed, or mailed, U.S. postage prepaid, and properly addressed to each such entity.

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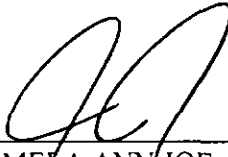
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